

1637 14

Applicant:

Ellen M. HEATH et al.

Confirmation No. 9392

Appl. No.:

10/075,593

Examiner: S. Chunduru

Filing Date:

February 15, 2002

Art Unit: 1637

Title:

IMPROVED METHOD TO ISOLATE DNA

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56 and 37 CFR §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

RELEVANCE

The relevance of the documents are described in the present specification.

11/04/2004 RFEKADU1 00000043 10075593

01 FC:1806

180.00 GP

TIMING/FEE

The instant Information Disclosure Statement is being filed after the mailing of a first Office action on the merits but before the mailing date of either (1) a final action under §1.113; (2) a notice of allowance under §1.311; or (3) an action that otherwise closes prosecution in the application. The required fee in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached. The Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.

Date:

Customer No. 26633

HELLER EHRMAN WHITE &

MCAULIFFE

1666 K Street, N.W., Suite 300

Washington, DC 20006

Telephone:

(202) 912-2142

Facsimile:

(202) 912-2020

Respectfully submitted,

Sanjay Sitlani

Attorney for Applicant Registration No. 48,489

2PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

of Sheet

Complete if Known							
Application Number	10/075,593						
Filing Date	February 15, 2002						
First Named Inventor	Ellen M. HEATH et al.						
Group Art Unit	1637						
Examiner Name	S. Chunduru						
Attorney Docket Number	41140-0002						

	U.S. PATENT DOCUMENTS									
	0:1-	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevan					
Examiner Initials *	Cite No.1	Number - Kind Code ² (if known)	MM-DD-YYYY	or Cited Document	Passages or Relevant Figures Appear					
	A01	5,010,183	4/23/1991	Macfarlane						
	A02	5,234,809	8/10/1993	Boom et al.						
	A03	5,393,672	2/28/1995	Ness et al.						
	A04	5,777,098	7/7/1998	Gray et al.						
	A05	5,973,137	10/26/1999	Heath						
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	FOREIGN PATENT DOCUMENTS									
Examiner Initials*	Cite No.	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	۳°				
	A06	WO 96/18731	6/20/1996	DYNAL A/S						
	A07	WO 97/10331	3/20/1997	BECKMAN INSTRUMENTS, INC.						

Examiner Signature	 Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional) . ² See Kinds Codes of USPTO Patent Documents at <u>www.uspto.gov</u> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

(08-00) Please type a plus sign (+) insid

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet	2	of	2	

	Complete if Known	
Application Number	10/075,593	
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Group Art Unit	1637	
Examiner Name	S. Chunduru	
Attorney Docket Number	41140-0002	

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	A08	AUSUBEL et al., "Current Protocols in Molecular Biology, 4.0-44.5.3 and 13.12.1-13.12.3, , John Wiley & Sons, NY, 1989	
	A09	J. FAVALORO et al., "Transcription Maps of Polyoma Virus-Specific RNA: Analysis by Two- Dimensional Nuclease S1 Gel Mapping, Methods in Enzymol, 1980, pp. 718-749, Vol. 65	
- 81	A10	Molecular Cloning: A Laboratory Manual, 2nd ed. 7.3-7.24 Cold Springs Harbor Springs, NY, 1989	

Examiner	Date	
Signature	Considered	

PTO/SB/17 (01-03)
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL	_	
FEE TRANSMITTAL for FY 2005	0 3	200
Effective 10/01/2003. Patent fees are subject to annual re	visi	on.

☐ Applicant claims small entity status. See 37 CFR

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Name (Print/Type)

Signature

Sanjay Sitlani

	Complete if Known	
pplication Number	10/075,593	
Filing Date	February 15, 2002	
irst Named Inventor	Ellen M. HEATH et al.	
Examiner Name	S. Chunduru	
Art Unit	1637	
Attorney Docket No.	41140-0002	

	METHOD OF PAYMENT (check one)								F	EE CALO	CULATION (continued)		
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☐ Deposit	Account	t									· · · · · · · · · · · · · · · · · · ·		
Deposit Account Number	08-16	641 (Do	cket No.	4114	10-0002)		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description		Fee Paid
Deposit					1051	130	2051	65	Surcharge - late filing fee or oath				
Account Name	Helle	r Ehrmai	n White &	è Мс	Auliffe LLP		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		
	ssianari	ic author	izad tar (chack	all that apply)		1053	130	1053	130	Non-English specification For filing a request for ex parte		
l					•••		1812	2,520	1812	2,520	reexamination		
Charge for	ee(s) ind	ncated be	iow 🔼	Crec	lit any overpay	ments	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		
	•		_	-	ndency of this	• •	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		
Charge for identified dep			low, excep	t for	the filing fee t	to the above-	1251	110	2251	55	Extension for reply within first month		
	<u>-</u>	FEE	CALCUL	ATIC)N		1252	430	2252	215	Extension for reply within second month		
1. BASIC I	FILING	FEE					1253	980	2253	490	Extension for reply within third month		
	ntity Fee	Small Fee	Entity Fee	Fe	e Description	Fee Paid	1254	1,530	2254	765	Extension for reply within fourth month		
	(\$)	Code	(\$)				1255	2,080	2255	1,040	Extension for reply within fifth month		
1001 7	790	2001	395	Util	ity filing fee		1401	340	2401	170	Notice of Appeal		
1002 3	350	2002	175	Des	ign filing fee		1402	340	2402	170	Filing a brief in support of an appeal		
1003	550	2003	275	Plan	nt filing fee		1403	300	2403	150	Request for oral hearing		
1004	790	2004	395	Reis	ssue filing fee		1451	1,510	1451	1,510	Petition to institute a public use proceeding		
1005 1	160	2005	80	Prov fee	visional filing		1452	110	2452	55	Petition to revive - unavoidable		
		st	BTOTA I	ر1)		(\$)	1453	1,370	2453	685	Petition to revive - unintentional		
2. EXTRA	CLAIM	FEES F	OR UTIL	ITY A	AND REISSU	E	1501	1,370	2501	685	Utility issue fee (or reissue)		
			Extra Cla	aims	Fee from below	Fee Paid	1502	490	2502	245	Design issue fee		
Total Claims		-20**=		x	9 :	-	1503	660	2503	330	Plant issue fee		
Independent Claims		-3**=		x	44	=[]	1460	130	1460	130	Petitions to the Commissioner		
Multiple Depe	endent				150	=	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		
Fee	Entity Fee	Small Fee	Entity Fee		Fee Descrip	otion	1806	180	1806	180	Submission of Information Disclosure Stmt		180
Code 1202	(\$) 18	Code 2202	(\$) 9	Clair	ns in excess of	20	8021	40	8021	40	Recording each patent assignment per		
1201	88	2201	44	Inde	pendent claims	in excess of 3	1809	790	2809	395	property (times number of properties) Filing a submission after final		
1203	300	2203	150		iple dependent	claim, if not	1810	790	2810	395	rejection (37 CFR 1.129(a)) For each additional invention to be		
1204	88	2204	44		issue independ	ent claims	1801	790	2801	395	examined (37 CFR 1.129(b)) Request for Continued Examination		
1205	18	2205	9	**Re	original patent issue claims in		1802	900	1802	900	(RCE) Request for expedited examination of		
e	UBTOT	[A] (2)		and o	over original par	tent	Other fee	e (specify)			a design application		
			if greater	: For	(\$) Reissues, see a	ibove		ed by Basic	Filing F	ee Poid	SUBTOTAL (3)	(\$)	180
SUBMITTE	<u> </u>		7.6					o Dusic			Complete (if applicable)	(4)	130

Registration No.

(Attorney/Agent)

Date

48,489

202-912-2000

Customer No. 26633

Telephone